

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JAMES MARABLE and KIM MARABLE,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:12-cv-818
)	Jury Demand
Q CARRIERS, INC. and)	
MASON T. WILLIAMS,)	
)	Judge Sharp
Defendants.)	Magistrate Judge Knowles
)	
<i>and</i>)	
)	
STATE FARM MUTUAL AUTOMOBILE)	
INSURANCE COMPANY a/s/o JAMES W.)	
AND KIM MARABLE,)	
)	
Plaintiff,)	
)	
v.)	
)	
MASON T. WILLIAMS and SUMMIT)	
EQUIPMENT LEASING, LLC,)	
)	
Defendants.)	
)	
)	
)	

RESPONSE TO ORDER

Pursuant to the Court's Order [Doc. 8]., Defendants Q Carriers, Inc. ("Q Carriers"), Mason T. Williams ("Williams"), and Summit Equipment Leasing, LLC ("Summit") (collectively, "Defendants"), file this Response regarding the citizenship of Summit Equipment Leasing, LLC, as follows:

1. The Civil Action is one of which this Court has diversity of citizenship jurisdiction pursuant to 28 U.S.C. § 1332 and removal jurisdiction pursuant to 28 U.S.C. § 1441 in that:

- (a) Defendant Williams, both at the time of filing of the Civil Action and as of the date of filing of this Notice, was and is a citizen of the State of Minnesota; Defendant Q Carriers, both at the time of filing of the Civil Action and as of the date of filing of this Notice, was and is a citizen of the State of Minnesota, in that it is a corporation organized in the State of Minnesota with its principal place of business in Minnesota; and Defendant Summit, both at the time of filing of the Civil Action and as of the date of filing of this Notice, was and is a Limited Liability Company, whose sole member is Scott Moeller, a citizen and resident of the State of Minnesota, at 225 South 6th Street, Ste. 4390, Minneapolis, MN 55402.
- (b) Plaintiffs, both at the time of filing of the Civil Action and as of the date of filing this Notice, were and are citizens of the State of Tennessee.
- (c) The amount in controversy exceeds \$75,000.00.
- (d) Thus, diversity of citizenship exists between all parties properly joined in that they are citizens of different states and the amount in controversy exceeds \$75,000, exclusive of interest and costs.
- (e) This action is within the original jurisdiction of the Court pursuant to the provisions of 28 U.S.C. § 1332.

Respectfully submitted this 17th day of August, 2012.

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ
A Professional Corporation

By: s/ V. Austin Shaver
Clarence Risin, No. 16874
V. Austin Shaver, No. 26581
265 Brookview Centre Way, Suite 600
Knoxville, Tennessee 37919
(865) 549-7000
(865) 633-7213 - Facsimile

*Attorneys for Defendants Q Carriers, Inc.,
Mason T. Williams, and Summit Equipment
Leasing, LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 17, 2012 a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

Morgan G. Adams
Law Offices of Morgan Adams
1419 Market Street
Chattanooga, TN 37402
Attorney for Plaintiffs James and Kim Marable

Samuel A. Baron
1109 17th Ave. S.
Nashville, TN 37212-2203
*Attorney for Plaintiff State Farm Mutual
Automobile Insurance Company a/s/o
James W. Marable and Kim Marable*

s/ V. Austin Shaver
Attorney